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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,755	12/06/1999	SACHIKO NISHIURA	4432-19	4202

7590 04/22/2005

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EXAMINER	
YANG, RYAN R	

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/454,755	NISHIURA, SACHIKO	
	Examiner	Art Unit	
	Ryan R Yang	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2005* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-11,13-20 and 22-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-11,13-20 and 22-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 December 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/25/2005 has been entered.

2. This action is responsive to communications: Amendment, filed on 1/25/2005. This action is non-final.

3. Claims 1-2, 4-11, 13-20 and 22-30 are pending in this application. Claims 1, 10, 19 and 28-30 are independent claims. In the Amendment, filed on 1/25/2005, claims 1, 2, 4, 10, 11, 13, 19, 20, 22, 25 and 28-30 were amended.

4. This application claims foreign priority dated 12/9/1998.

5. The present title of the invention is "Apparatus and Method for Converting an Object Display Description Document" as filed originally.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-2, 6-11, 15-18 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Vyncke et al. (5,926,185).

As per claim 10, Vyncke et al., hereinafter Vyncke, discloses a method for converting an original set of source objects by reducing the number of objects required to display a description document, said method comprising a generating means for generating a set of new objects, from said original set of source objects in the document, a number of new objects in said set of new objects being fewer than a number of objects in said original set of source objects, said fewer objects obtaining a display image equivalent to the display of an image obtained from said original set of source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating step generates said new objects from a translucent source object and other source objects located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source object ("the objects in the sequence must be all opaque (solid) or all transparent", column 9, line 42-43),

wherein said generating step generates a new merged object including at least a first source object having an area and a second object having an area and superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27; certain objects hide other objects ... Fig. 8a shows an example of a rectangle 206 which

completely covers a square 208 ... Although the circle completely covers a triangle 212, the circle is not opaque (solid), so the triangle is not actually hidden but shows through" (column 8, line 27-57), thus, the objects can have area).

8. As per claim 11, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses said generating step deletes source objects hidden spatially behind another source object which is not translucent ("To merge the two objects, the stroke is transferred to the back object and the top object is deleted", column 5, line 39-41).

9. As per claim 15, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step of storing said set of new objects to a storage medium (Figure 1 104).

10. As per claim 16, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step of selectively storing said set of source objects or said set of new objects to a storage medium (Figure 1 100).

11. As per claim 17, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step of displaying said set of new objects ("the output device may be a display screen", column 1, line 35).

12. As per claim 18, Vyncke demonstrated all the elements as applied in the rejection of independent claim 10, supra, and further discloses a step for selectively displaying said set of source objects or said set of new objects (Figure 7b is a selecting process).

13. As per independent claim 1, since it is directed to an apparatus for performing the method of independent claim 10, and therefore is similarly rejected as independent claim 10.

Regarding the "means plus function" language, the means refer to the software methods executed on generically disclosed hardware explicitly disclosed by Vyncke. It is further noted that both software and hardware means are functionally equivalent.

14. As per claim 2, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses said generating means deletes source objects hidden spatially behind another source object which is not translucent ("To merge the two objects, the stroke is transferred to the back object and the top object is deleted", column 5, line 39-41).

15. As per claim 6, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for storing said set of new objects to a storage medium (Figure 1 104).

16. As per claim 7, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for selectively storing said set of source objects or said set of new objects to a storage medium (Figure 1 100).

17. As per claim 8, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for displaying said set of new objects, wherein said apparatus is used as a browser ("the output device may be a display screen", column 1, line 35, and Figure 7B is a browsing process).

18. As per claim 9, Vyncke demonstrated all the elements as applied in the rejection of independent claim 1, supra, and further discloses a means for selectively displaying said set of source objects or said set of new objects, wherein said apparatus is used as a browser (Figure 7B is a browsing process).

19. As per claim 28, Vyncke discloses an apparatus for converting an original set of source objects by reducing the number of objects required to display a description document, said apparatus comprising a generating means for generating a set of new objects, from said original set of source objects in the document, a number of new objects in said set of new objects being fewer than a number of objects in said original set of source objects, said fewer objects obtaining a display image equivalent to the display of an image obtained from said original set of source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating means generates said new objects from a translucent source object and other source objects not translucent and located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source object (Figure 8a where 210 is a translucent circle and 212 a triangle- "Although the circle completely covers a triangle 212, the circle is not opaque (solid), so the triangle is not actually hidden but shows through" (column 8, line 27-57), so the new object contains both circle 210 and triangle 212),

wherein said generating means generates a new merged object including at least a first source object and a second object superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27; certain objects hide other objects ... Fig. 8a shows an example of a rectangle 206 which completely covers a square 208 ..." (column 8, line 27-57), thus, the objects can have area).

20. As per claim 29, Vyncke discloses an apparatus for converting an original set of source objects by reducing the number of objects required to display a description document, said apparatus comprising a generating means for generating a set of new objects, from said original set of source objects in the document, a number of new objects in said set of new objects being fewer than a number of objects in said original set of source objects, said fewer objects obtaining a display image equivalent to the display of an image obtained from said original set of source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

Wherein said generating means generates said new objects from a translucent source object and other source objects not translucent and located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent source object (Figure 8a where 210 is a translucent circle and 212 a triangle- "Although the circle completely covers a triangle 212, the circle is not opaque

(solid), so the triangle is not actually hidden but shows through" (column 8, line 27-57), so the new object contains both circle 210 and triangle 212),

wherein said generating means generates a new merged object including at least a first source object and a second object superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27; certain objects hide other objects ... Fig. 8a shows an example of a rectangle 206 which completely covers a square 208 ..." (column 8, line 27-57), thus, the objects can have area).

21. As per claim 30, Vyncke discloses a computer program for causing a computer to execute a method for converting an object display description document by reducing the number of objects required for the display, said method comprising a generating step of generating, from an original set of source objects in the document, a set of new objects which are fewer than a number of said objects forming said original set of source objects, in order to obtain a display image equivalent to the display image obtained from said original set of source objects ("Objects with multiple attributes like a fill and a stroke are represented as one object in most graphics art editors, but during PostScript export they get broken into multiple objects, one for the fill and one for the stroke. By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 22-27).

wherein said generation means generates new objects from a translucent source object and other source objects not translucent and located at a layer lower than a layer including said translucent source object and spatially overlapping said translucent

source object 1 (Figure 8a where 210 is a translucent circle and 212 a triangle- "Although the circle completely covers a triangle 212, the circle is not opaque (solid), so the triangle is not actually hidden but shows through" (column 8, line 27-57), so the new object contains both circle 210 and triangle 212),

wherein said generating means generates a new merged object including at least a first source object and a second object superimposed on said first source object ("By merging the two objects together to create a single object with multiple attributes, the file is optimized", column 5, line 25-27).

Claim Rejections - 35 USC § 103

22. Claims 19-20 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al.

23. As per claims 19-20 and 24-27, these are directed to computer program performing the method of claims 10-11 and 15-18, respectively. Although Vyncke is silent to the limitation of a "computer program" performing the method of claims 10-11 and 15-18, however, since Vyncke's disclosure is useful in computer graphics processing, it is obvious that his method can be executed in the form of computer program in order to process graphical objects in a computer system. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Vyncke and make them into software program to run the process and, therefore, are similarly rejected as claims 10-11 and 15-18, respectively.

24. Claims 4, 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al. as applied to claim 1 above, and further in view of Cannon (5,559,950)

As per claim 13, Vyncke demonstrated all the elements as applied to the rejection of independent claim 10, supra.

Vyncke discloses a method of optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generation of said new object from said translucent source object and said other source objects is performed for a time range in which said translucent source object spatially overlaps said other source objects", however, this is known in the art as taught by Cannon. Cannon discloses an animated display system in which for a time range the translucent source object spatially overlaps the background object (Figure 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon into Vyncke because Vyncke discloses a method of optimizing graphical objects and Cannon discloses a system to spatially overlap transparent animated objects to other objects in order to increase the animation speed.

25. As per claim 4, Vyncke demonstrated all the elements as applied to the rejection of independent claim 1, supra.

Vyncke discloses a generating means for optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generation of said new object from said translucent source object and said other source objects is performed for a time range in

which said translucent source object spatially overlaps said other source objects", however, this is known in the art as taught by Cannon. Cannon discloses an animated display system in which for a time range the translucent source object spatially overlaps the background object (Figure 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Cannon into Vyncke because Vyncke discloses a generating means for of optimizing graphical objects and Cannon discloses a system to spatially overlap transparent animated objects to other objects in order to increase the animation speed.

Regarding the "means plus function" language, the means refer to the software methods executed on generically disclosed hardware explicitly disclosed by Vyncke. It is further noted that both software and hardware means are functionally equivalent.

26. As per claim 22, these are directed to computer program performing the method of claim 13. Since Vyncke's disclosure is useful in computer graphics processing, it is obvious that his method can be executed in the form of computer program in order to process graphical objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Vyncke and make them into software program to run the process and, therefore, is similarly rejected as claim 13.

27. Claims 5, 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vyncke et al. as applied to claim 1 above, and further in view of Capps et al. (5,583,542).

As per claim 14, Vyncke demonstrated all the elements as applied to the rejection of independent claim 10, supra.

Vyncke discloses a method of optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generating means deletes a source object when a display time for said source object is out of a display time range for said set of source objects", however, this is known in the art as taught by Capps et al., hereinafter Capps. Capps discloses an object deleting method in which "the object O could be deleted after the animation sequence", column 17, line 26.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Capps into Vyncke because Vyncke discloses a method of optimizing graphical objects and Capps discloses the displayed objects can be deleted after certain time range in order to simplify the process.

28. As per claim 5, Vyncke demonstrated all the elements as applied to the rejection of independent claim 1, supra.

Vyncke discloses a generating means for optimizing graphical objects. It is noted that Vyncke does not explicitly disclose "generating means deletes a source object when a display time for said source object is out of a display time range for said set of source objects", however, this is known in the art as taught by Capps et al., hereinafter Capps. Capps discloses an object deleting method in which "the object O could be deleted after the animation sequence", column 17, line 26.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Capps into Vyncke because Vyncke

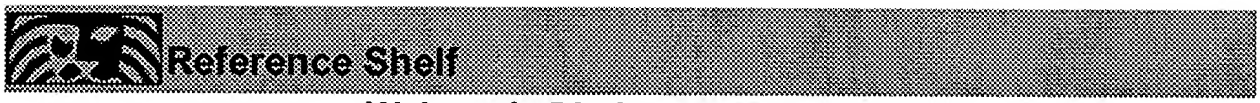
discloses a generating means for optimizing graphical objects and Capps discloses the displayed objects can be deleted after certain time range in order to simplify the process.

29. As per claim 23, As per claim 22, these are directed to computer program performing the method of claim 14. Since Vyncke and Cannon's disclosure are useful in computer graphics processing, it is obvious that his method can be executed in the form of computer program in order to process graphical objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Vyncke and Cannon, and make them into software program in order to run the process and, therefore, is similarly rejected as claim 13.

Response to Arguments

30. Applicant's arguments filed 1/25/2005 have been fully considered but they are not persuasive.

As per claims 1, 10, 19 and 28-30, applicant alleges that Vyncke et al. do not teach using a translucent object and therefore cannot disclose generating new objects from a translucent source object and other source objects. In reply, Examiner consulted Webster's Dictionary (Webster's Third New International Dictionary, Unabridged, 1993 Merriam-Webster), in which the definition of translucent is as follow:



Webster's Dictionary : Full Text

CLOSE WINDOW | HELP | ABOUT | MODIFY SEARCH

<<Previous headword | Next headword>>

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▩ translucent *adj*

[L *translucent-, translucens,* pres. part. of *translucere* to shine through, fr. *trans-* + *lucere* to shine --- more at LIGHT]

1 : shining or glowing through: PENETRATING, LUMINOUS

»the *translucent* rays of the sun«

2 a : TRANSPARENT

»materials used for making windows or other *translucent* objects
- *Notes & Queries on Anthropology*«
»the water was *translucent* , and I could readily watch from the canoe what was going on
- V.G.Heiser«

b : readily perceptible: CLEAR, LUCID

»his way of teaching, his *translucent* exposition
- H.O.Taylor«
»an interpretation amazingly delicate and *translucent*
- C.G.Poore«
»the early piano is beautifully *translucent* throughout its compass
- Robert Donington«

3 : admitting and diffusing light so that objects beyond cannot be clearly distinguished : partly transparent

»nothing could penetrate them except in the limited way that light penetrated *translucent* substances
- Lewis Mumford«
»the *translucent* skin showing the radiant rose beneath
- W.H.Hudson +1922«
» *translucent* amber
- Elinor Wylie«

syn *see* ***CLEAR***

Since translucent includes the meaning of transparent, the claim limitation is not distinguishable from the prior art.

Inquiries

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Yang
April 14, 2005